

CHAPTER 3: PROFESSIONALISM AND ETHICS

- ❖ Define professionalism and find out what it means to you as a student.
- ❖ Define the meaning Professional Ethics.
- ❖ Look at two examples of Code of Ethics for Engineers.

A primary reason for the rapid development in science and engineering is the work of the *technical societies*. The fundamental service provided by a society is the sharing of ideas, which means that technical specialists can publicize their efforts and assist others in promoting excellence in the profession. When information is distributed to other society members, new ideas evolve and duplicated efforts are minimized. The societies conduct meetings on international, national, and local basis. The table shown in Lesson No.2 showed a partial listing of the numerous engineering societies worldwide.

2.0 PROFESSIONAL REGISTRATION

The power to license engineers typically rests with individual states or provinces, but can be by a national body. Whoever does the licensing, the main purpose for licensing legislation is to **protect the public.**

The legal process for becoming a licensed professional engineer varies between licensing bodies. A typical process involves (note that this is NOT necessarily the process in Malaysia):

1. Completion of an engineering degree from an acceptable institution.
2. Successful completion of the Fundamentals of Engineering Examination which entitles one to the title “engineer-in-training” (EIT). This 8-hour exam is taken during the last term of an undergraduate program.
3. Completion of 4 years of engineering practice as an EIT.
4. Obtain letters of recommendation.
5. Successful completion of a Principles and Practice Examination.

What is the registration process in Malaysia?

Once you are registered as a professional engineer, it is also good to know the traits of a successful engineer – since each of us would like to be successful in our engineering careers. By mastering the following traits, you will increase your chances of achieving a successful engineering career:

- ***Interpersonal skills*** – Successful engineers must have good interpersonal skills since they must effectively communicate with a wide spectrum of people with varying educational backgrounds.
- ***Communication skills*** – Engineers generate a wide variety of communications: drawings, sketches, reports, memos, manuals, proposals, technical papers, oral presentations, etc.
- ***Leadership*** – Leadership is one of the most desired skills for success. Good leaders assess the situation and develop a plan to meet the group's objectives.
- ***Competence*** – Engineers are hired for their knowledge - if their knowledge is faulty, they are of little value to their employer.
- ***Logical thinking*** – Successful engineers make decisions based on reason rather than emotions.
- ***Quantitative thinking*** – Engineering education emphasizes quantitative skills – transforming qualitative ideas into quantitative models that are used to make decisions.
- ***Follow-through*** – Engineers have to stay motivated and carry a project through to completion.

- *Continuing Education* – An engineer must stay current or else he/she will become obsolete.
- *Maintaining a professional library* – Throughout your formal education, you will be required to purchase textbooks. Your textbooks should become personalized references that allow you to quickly regain the knowledge years later when you need it.
- *Dependability* – Many industries operate with deadlines – so as a student you must learn to meet deadlines in preparation for your career as an engineer.
- *Honesty* – As much as technical skills are valued in an industry, honesty is valued more.
- *Organization* – Many engineering projects are extremely complex – therefore the engineer must be organized to ensure that everything works out unto completion.
- *Common Sense* – There are many common sense aspects of engineering that cannot be taught – and a lack of common sense can be disastrous.

- *Curiosity* – A successful engineer is always asking “Why?”.
- *Involvement in the Community* – An engineer should be involved in the community to provide useful community services and also build business contacts.
- *Creativity* – The creative engineering challenge is to find the best solutions to satisfy project goals. Many of the technical challenges facing society can only be met with creativity.

3.0 PROFESSIONAL ETHICS

Ethics is the guide to personal conduct of a professional. Most of the technical societies have a written *code of ethics* for their members. Because of this, some variations exist; but a general view of ethics for engineers is provided here.

The purpose of these codes is to provide guidance to engineers on ethical behaviour. All codes generally provide the following guidelines:

1. Protect the public safety, health and welfare.
2. Perform duties only in areas of competence.
3. Be truthful and objective.
4. Behave in an honorable and dignified manner.
5. Continue learning to sharpen technical skills.
6. Provide honest hard work to employers or clients.
7. Inform the proper authorities of harmful, dangerous, or illegal activities.
8. Be involved with civic and community affairs.
9. Protect the environment.
10. Do not accept bribes, or gifts that would interfere with engineering judgment.
11. Protect confidential information of employer or client.
12. Avoid conflicts of interest.

A conflict of interest is a situation in which an engineer's loyalties and obligations may be compromised because of self-interest or other loyalties and obligations. This can lead to biased judgments.

On the following page is a copy of the *Code of Ethics of Engineers* endorsed by *The Accreditation Board for Engineering and Technology*. Following that is a copy of the

National Society of Professional Engineers: Code of Ethics for Engineers. This is the most widely endorsed code of ethics. It is divided into the following sections:

- I. Fundamental Canons
- II. Rules of Practice
- III. Professional Obligations

Code of Ethics of Engineers

THE FUNDAMENTAL PRINCIPALS

Engineers uphold and advance the integrity, honour and dignity of the engineering profession by:

- I. Using their knowledge and skill for the enhancement of human welfare;
- II. Being honest and impartial, and serving with fidelity the public, their employers and clients.
- III. Striving to increase the competence and prestige of the engineering profession; and
- IV. Supporting the professional and technical societies of their disciplines.

THE FUNDAMENTAL CANONS

1. Engineers shall hold paramount the safety, health and welfare of the public in the performance of their professional duties.
2. Engineers shall perform services only in the areas of their competence.
3. Engineers shall issue public statements only in an objective and truthful manner.
4. Engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.
5. Engineers shall build their professional reputation on the merit of their services and shall not compete unfairly with others.
6. Engineers shall act in such a manner as to uphold and enhance the honor, integrity and dignity of the profession.
7. Engineers shall continue their professional development throughout their careers and shall provide opportunities for the professional development of those engineers under their supervision.

National Society of Professional Engineers (NSPE)

Code of Ethics for Engineers

Preamble

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by engineers require honesty, impartiality, fairness and equity, and must be dedicated to the protection of the public health, safety and welfare. Engineers must perform under a standard of professional behavior which requires adherence to the highest principles of ethical conduct.

I. Fundamental Canons

Engineers, in the fulfillment of their professional duties, shall:

1. Hold paramount the safety, health and welfare of the public.
2. Perform services only in areas of their competence.
3. Issue public statements only in an objective and truthful manner.
4. Act for each employer or client as faithful agents or trustees.
5. Avoid deceptive acts.
6. Conduct themselves honorably, responsibly, ethically and lawfully so as to enhance the honor, reputation and usefulness of the profession.

II. Rules of Practice

1. Engineers shall hold paramount the safety, health and welfare of the public.

- a. If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.
- b. Engineers shall approve only those engineering documents which are in conformity with applicable standards.
- c. Engineers shall not reveal facts, data or information without the prior consent of the client or employer except as authorized or required by law or this Code.
- d. Engineers shall not permit the use of their name or associate in business ventures with any person or firm which they believe are engaged in fraudulent or dishonest enterprise.
- e. Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.

2. Engineers shall perform services only in the areas of their competence.

- a. Engineers shall undertake assignments only when qualified by education or experience in the specific technical fields involved.
- b. Engineers shall not affix their signatures to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared under their direction and control.
- c. Engineers may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers who prepared the segment.

3. Engineers shall issue public statements only in an objective and truthful manner.

- a. Engineers shall be objective and truthful in professional reports, statements or testimony. They shall include all relevant and pertinent information in such reports, statements or testimony, which should bear the date indicating when it was current.
- b. Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
- c. Engineers shall issue no statements, criticisms or arguments on technical matters which are inspired or paid for by interested parties, unless they have prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking, and by revealing the existence of any interest the engineers may have in the matters.

4. Engineers shall act for each employer or client as faithful agents or trustees.

- a. Engineers shall disclose all known or potential conflicts of interest which could influence or appear to influence their judgment or the quality of their services.
- b. Engineers shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.
- c. Engineers shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents in connection with the work for which they are responsible.
- d. Engineers in public service as members, advisors or employees of a governmental or quasi-governmental body or department shall not participate in decisions with respect to services solicited or provided by them or their organizations in private or public engineering practice.
- e. Engineers shall not solicit or accept a contract from a governmental body on which a principal or officer of their organization serves as a member.

5. Engineers shall avoid deceptive acts.

- a. Engineers shall not falsify their qualifications or permit misrepresentation of their, or their associates' qualifications. They shall not misrepresent or exaggerate their responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint venturers or past accomplishments.
- b. Engineers shall not offer, give, solicit or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public as having the effect of intent to influencing the awarding of a contract. They shall not offer any gift, or other valuable consideration in order to secure work. They shall not pay a commission, percentage or brokerage fee in order to secure work, except to a bona fide employee or bona fide established commercial or marketing agencies retained by them.

III. Professional Obligations

1. Engineers shall be guided in all their relations by the highest standards of honesty and integrity.

- a. Engineers shall acknowledge their errors and shall not distort or alter the facts.
- b. Engineers shall advise their clients or employers when they believe a project will not be successful.
- c. Engineers shall not accept outside employment to the detriment of their regular work or interest. Before accepting any outside engineering employment they will notify their employers.
- d. Engineers shall not attempt to attract an engineer from another employer by false or misleading pretenses.

e. Engineers shall not actively participate in strikes, picket lines, or other collective coercive action.

f. Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.

2. Engineers shall at all times strive to serve the public interest.

a. Engineers shall seek opportunities to participate in civic affairs; career guidance for youths; and work for the advancement of the safety, health and well-being of their community.

b. Engineers shall not complete, sign or seal plans and/or specifications that are not in conformity with applicable engineering standards. If the client or employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.

c. Engineers shall endeavor to extend public knowledge and appreciation of engineering and its achievements.

3. Engineers shall avoid all conduct or practice which deceives the public.

a. Engineers shall avoid the use of statements containing a material misrepresentation of fact or omitting a material fact.

b. Consistent with the foregoing, Engineers may advertise for recruitment of personnel.

c. Consistent with the foregoing, Engineers may prepare articles for the lay or technical press, but such articles shall not imply credit to the author for work performed by others.

4. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.

a. Engineers shall not, without the consent of all interested parties, promote or arrange for new employment or practice in connection with a specific project for which the Engineer has gained particular and specialized knowledge.

b. Engineers shall not, without the consent of all interested parties, participate in or represent an adversary interest in connection with a specific project or proceeding in which the Engineer has gained particular specialized knowledge on behalf of a former client or employer.

5. Engineers shall not be influenced in their professional duties by conflicting interests.

a. Engineers shall not accept financial or other considerations, including free engineering designs, from material or equipment suppliers for specifying their product.

b. Engineers shall not accept commissions or allowances, directly or indirectly, from contractors or other parties dealing with clients or employers of the Engineer in connection with work for which the Engineer is responsible.

6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper or questionable methods.

a. Engineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.

b. Engineers in salaried positions shall accept part-time engineering work only to the extent consistent with policies of the employer and in accordance with ethical considerations.

c. Engineers shall not, without consent, use equipment, supplies, laboratory, or office facilities of an employer to carry on outside private practice.

7. Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall present such information to the proper authority for action.

- a. Engineers in private practice shall not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer with the work has been terminated.
- b. Engineers in governmental, industrial or educational employ are entitled to review and evaluate the work of other engineers when so required by their employment duties.
- c. Engineers in sales or industrial employ are entitled to make engineering comparisons of represented products with products of other suppliers.

8. Engineers shall accept personal responsibility for their professional activities; provided, however, that Engineers may seek indemnification for services arising out of their practice for other than gross negligence, where the Engineer's interests cannot otherwise be protected.

- a. Engineers shall conform with state registration laws in the practice of engineering.
- b. Engineers shall not use association with a nonengineer, a corporation, or partnership as a "cloak" for unethical acts.

9. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.

- a. Engineers shall, whenever possible, name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
- b. Engineers using designs supplied by a client recognize that the designs remain the property of the client and may not be duplicated by the Engineer for others without express permission.
- c. Engineers, before undertaking work for others in connection with which the Engineer may make improvements, plans, designs, inventions, or other records that may justify copyrights or patents, should enter into a positive agreement regarding ownership.
- d. Engineers' designs, data, records, and notes referring exclusively to an employer's work are the employer's property. Employer should indemnify the Engineer for use of the information for any purpose other than the original purpose.

As Revised July 1996

"By order of the United States District Court for the District of Columbia, former Section 11(c) of the NSPE Code of Ethics prohibiting competitive bidding, and all policy statements, opinions, rulings or other guidelines interpreting its scope, have been rescinded as unlawfully interfering with the legal right of engineers, protected under the antitrust laws, to provide price information to prospective clients; accordingly, nothing contained in the NSPE Code of Ethics, policy statements, opinions, rulings or other guidelines prohibits the submission of price quotations or competitive bids for engineering services at any time or in any amount."

Statement by NSPE Executive Committee

In order to correct misunderstandings which have been indicated in some instances since the issuance of the Supreme Court decision and the entry of the Final Judgment, it is noted that in its decision of April 25, 1978, the Supreme Court of the United States declared: "The Sherman Act does not require competitive bidding."

It is further noted that as made clear in the Supreme Court decision:

- 1. Engineers and firms may individually refuse to bid for engineering services.
- 2. Clients are not required to seek bids for engineering services.
- 3. Federal, state, and local laws governing procedures to procure engineering services are not affected, and remain in full force and effect.
- 4. State societies and local chapters are free to actively and aggressively seek legislation for professional selection and negotiation procedures by public agencies.

5. State registration board rules of professional conduct, including rules prohibiting competitive bidding for engineering services, are not affected and remain in full force and effect. State registration boards with authority to adopt rules of professional conduct may adopt rules governing procedures to obtain engineering services.

6. As noted by the Supreme Court, "nothing in the judgment prevents NSPE and its members from attempting to influence governmental action . . ."

NOTE: In regard to the question of application of the Code to corporations vis-a-vis real persons, business form or type should not negate nor influence conformance of individuals to the Code. The Code deals with professional services, which services must be performed by real persons. Real persons in turn establish and implement policies within business structures. The Code is clearly written to apply to the Engineer and items incumbent on members of NSPE to endeavor to live up to its provisions. This applies to all pertinent sections of the Code.